

REPORT OF THE EXECUTIVE OFFICER  
State Allocation Board Meeting, February 28, 2007

SCHOOL FACILITY PROGRAM JOINT-USE PROJECTS

PURPOSE OF REPORT

To present requests for funding under the School Facility Program (SFP) Joint-Use Program.

DESCRIPTION

At the August 2006 State Allocation Board (SAB) meeting, 40 Joint-Use projects totaling \$46,619,927 were presented for funding consideration. Thirty-one projects received apportionments out of the 2004 State School Facilities Fund, leaving nine project requests totaling \$11,224,855 without funding. At the September 2006 SAB meeting, the Board requested that Staff also include two Natomas Unified School District projects representing an additional \$2,911,004 with the list of remaining SFP Joint-Use projects.

Also at the September 2006 SAB meeting, the Board approved a request to include a Kings River Union Elementary School District project on this list. Funding for this project in the amount of \$1,175,555 is contingent upon Board adopted changes to the SFP Joint-Use Program Regulations being approved by the Office of Administrative Law (OAL). Once the OAL approves the regulation changes, Staff will prepare a consent item requesting funding for this project. After considering the increase to the SFP per-pupil grant amounts for the 2007 Class B Construction Cost Index, the total value of the projects is \$15,547,233.

AUTHORITY

Education Code (EC) Section 17070.40(c) established the 2004 State School Facilities Fund and extends authority to the SAB to apportion funds transferred from any source to the 2004 State School Facilities for the purposes of this chapter. EC Section 17077.40 establishes the authority to fund Joint-Use projects to construction facilities on Kindergarten to grade 12 school sites.

EC Section 17088.2 states in part that the Board may transfer any funds within the State School Building Aid Fund that are in excess of the amounts needed by the Board for the maintenance of portable buildings or for the purchase of new portable buildings, for that fiscal year, to any of the following, as appropriate: the 1998, 2002, or 2004 State School Facilities Fund for allocation by the Board for any purpose authorized pursuant to that fund.

STAFF COMMENTS

At the April 2006 SAB meeting, the Board anticipated that the State Relocatable Classroom Program (SRCP) would have revenue in excess of that needed to operate the program and therefore available for other purposes. Staff has verified that the State School Building Aid Fund has sufficient funds in order to complete the transfer without impacting the operation and phase-out of the SRCP. Staff believes that utilizing SRCP funds to apportion these SFP Joint-Use projects would allow the recently authorized \$29 million provided for Joint-Use projects in Proposition 1D (Chapter 35, Statutes of 2006 – Nunez and Perata) to remain intact, potentially resulting in a greater number of projects receiving apportionments during the 2006/2007 SFP Joint-Use funding cycle. Staff proposes that funds be transferred from the State School Building Aid Fund to the 2004 State School Facilities Fund for the purposes of funding the SFP Joint-Use projects on the Attachment.

Although the projects on the Attachment would be funded from the 2004 State School Facilities Fund, to correspond with the filing period in which the district applied, the projects would not be subject to the Labor Compliance Program (LCP) pursuant to Labor Code (LC) Section 1771.7. The LC provides that funds derived from the Kindergarten-University Public Education Facilities Bond Act of 2002 or 2004, require the initiation and enforcement of a LCP for

STAFF COMMENTS (cont.)

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projects commencing after April 1, 2003 and establishes the authority for the Board to apportion the State's share of the increased costs of new construction or modernization projects due to the initiation and enforcement of the LCP. Since funds derived from Proposition 55 will not be utilized, Staff believes there is a lack of authority to provide additional grants associated with the LCP costs for these projects. Therefore, the LCP additional grant has been excluded from the projects on the Attachment.

#### RECOMMENDATIONS

1. Authorize the transfer of \$15,547,233 from the State School Building Aid Fund to the 2004 State School Facilities Fund for Joint-Use purposes.
2. Apportion the projects totaling \$14,371,678 on the Attachment with the funds transferred to the 2004 State School Facilities Fund.
3. Authorize Staff to apportion \$1,175,555 for the Kings River Union Elementary School District Joint-Use project in the consent section at a future SAB meeting, upon the OAL approval of the amendments to the SFP Joint-Use Program Regulations.

#### BOARD ACTION

In considering this item, the Board approved Staff's recommendations. In addition, the Board requested Staff to confirm that a Labor Compliance Program (LCP) cannot be required for those projects considering the revenues utilized are derived from the State School Building Aid Fund and not from the 2004 State School Facilities Fund. Additionally, Staff was requested to research the permissibility of providing the LCP augmentation to school districts that voluntarily choose to initiate and enforce a LCP.

**ATTACHMENT**  
**SCHOOL FACILITY JOINT-USE PROGRAM**  
**February 28, 2007 State Allocation Board Meeting**

County	School District	Site Name	Application Number	Type of Facility	Joint Use Partner	Joint Use Type	Grade Level	Project Cost				
								Total Estimated Cost	Joint Use Partner Share	District Share	*Additional District/ Partner Contribution	**State Apportionment
Napa	St. Helena Unified	St. Helena Elementary	52/66290-00-001	Multipurpose	Boys and Girls Club of St. Helena	2	K-6	\$1,211,366	\$302,841	\$302,841	\$0	\$605,683
Tuolumne	Big Oak Flat-Groveland USD	Pedro (Don) High	52/75184-00-002	Multipurpose	Lake Don Pedro Owner's Association	2	9-12	\$3,035,712	\$0	\$1,517,856	\$0	\$1,517,856
Alameda	San Lorenzo Unified	Edendale Middle	52/61309-00-002	Gym	City of Hayward Parks and Recreation	2	K-8	\$3,985,432	\$0	\$1,500,000	\$985,432	\$1,500,000
Fresno	Kerman Unified	Sun Empire Elementary	52/73999-00-005	Library	Girl Scouts, Golden Valley Council	2	K-6	\$657,394	\$0	\$328,697	\$0	\$328,697
Alameda	San Lorenzo Unified	Bohannon Middle	52/61309-00-003	Gym	City of Hayward Parks and Recreation	2	7-8	\$4,001,770	\$0	\$1,500,000	\$1,001,770	\$1,500,000
San Joaquin	Stockton Unified	Garfield High	52/68676-00-001	Gym	City of Stockton <b>2</b>	2	9-12	\$4,806,166	\$1,000,000	\$1,000,000	\$806,166	\$2,000,000
San Joaquin	Stockton Unified	Garfield High	52/68676-00-002	Multipurpose <b>1</b>	City of Stockton <b>2</b>	2	9-12	\$3,089,400	\$772,350	\$772,350	\$0	\$1,544,700
Lake	Konocti Unified	Pomo Elementary	52/64022-00-006	Library	City of Clearlake	2	K-6	\$847,086	\$0	\$423,543	\$0	\$423,543
Lake	Konocti Unified	Lower Lake High	52/64022-00-007	Gym	County of Lake	2	9-12	\$4,409,094	\$0	\$2,000,000	\$409,094	\$2,000,000
Sacramento	Natomas Unified	Natomas Charter	52/75283-00-002	Gym	Natomas Charter School	2	9-12	\$5,807,436	\$2,000,000	\$0	\$1,807,436	\$2,000,000
Sacramento	Natomas Unified	Inderkum High	52/75283-00-003	Library	Los Rios Community College District	2	9-12	\$1,902,398	\$713,399	\$237,800	\$0	\$951,199

**Total State Apportionment:    \$14,371,678**

\* Any additional financial contributions can be made by the Joint-Use partner(s), the district or any other local source.

\*\* The State Apportionment has a maximum cap of \$1,000,000 for an elementary school, \$1,500,000 for a middle school, and \$2,000,000 for a high school.

1. The District is not building Minimum Essential Facilities; however, the CDE has approved the reduced square footage.

2. Pending verification of addendum to agreement designating the school district ownership of the building.